

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION  
3:10CV263

BERNARD SCARBOROUGH,

Plaintiff,

vs.

WAL-MART CORPORATION,  
formerly Wal-Mart Supercenter Stores, Inc.  
a North Carolina Corporation,

Defendant.

ORDER

This matter is before the court upon the Defendant's Motion to Dismiss, filed June 18, 2010. As Plaintiff is appearing *pro se*, the court entered a Roseboro notice on August 12, 2010, allowing the Plaintiff until August 30 to file a response to the Motion to Dismiss. Plaintiff has failed to file a response in opposition to the Defendant's Motion to Dismiss. For the reasons stated in Defendant's Memorandum in Support of its Motion to Dismiss, the court hereby dismisses this case pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure for failure to state a claim upon which relief can be granted.

SO ORDERED.

Signed: September 8, 2010



Graham C. Mullen  
United States District Judge

